THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HONBLE SRI JUSTICE R.SUBHASH REDDY

–

WRIT APPEAL NO.2260 OF 2005.

DATED: 28-11-2005

Between

G.D.Reddy, son of Ramachandra Reddy

Aged 47 yrs, Conductor,E.No.109611,

R/o 2-11-130/5/2, Srinagar colony,

Uppal, R.R. district, Hyderabad.

….Appellant

And

1.APSRTC, Musheerabad, Hyderabad

rep. By its Managing Director and another

…Respondents

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JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main appeal itself is taken up for disposal.

The unsuccessful writ petitioner is the appellant herein, who seeks to assail the order dismissing the writ petition by the learned single Judge, wherein the appellant sought to assail the impugned order of suspension.

The main ground urged by the learned counsel for the appellant is that on a

reading of the charge, there is no warrant to take recourse to serious action of suspension, pending enquiry. Further, he placed reliance on the judgment of this Court in W.P.No.10521 of 1996, dated
05-08-1996.

Having considered the submissions made and on perusal of record, it is seen that in regard to disciplinary proceedings against the appellant, it is too late in the day for this Court to interfere in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India. Further, on a reading of the judgment cited by the learned counsel for the appellant, it is seen that the charges leveled against the appellant are on the supposition of certain acts under which the employee was sought to be suspended. However, on a reading of the charge in the present case, it can be said that this Court cannot interfere with any such suspension. In the circumstances, we do not find any merits in this appeal.

Accordingly, the writ appeal is dismissed. However, the respondents are directed to complete the enquiry within a period of two months from the date of receipt of a copy of this judgment. No costs.

B.PRAKASH RAO, J

Dated: 28-11-2005.

R.SUBHASH REDDY, J

Hsd